

SENATE BILL 521

J1
HB 1279/09 – HGO

0lr2527
CF 0lr1117

By: **Senators Pugh, Frosh, Harrington, Jones, Lenett, Madaleno, Middleton,
Peters, Raskin, and Rosapepe**

Introduced and read first time: February 3, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Family Planning Works Act**

3 FOR the purpose of altering the eligibility requirements for family planning services
4 under the Maryland Medical Assistance Program by requiring the Program to
5 provide those services to all women whose family income is at or below a certain
6 percent of the poverty level under certain circumstances; declaring the intent of
7 the General Assembly; and generally relating to eligibility for family planning
8 services under the Maryland Medical Assistance Program.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 15–103(a)
12 Annotated Code of Maryland
13 (2009 Replacement Volume)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 15–103.

18 (a) (1) The Secretary shall administer the Maryland Medical Assistance
19 Program.

20 (2) The Program:

21 (i) Subject to the limitations of the State budget, shall provide
22 medical and other health care services for indigent individuals or medically indigent
23 individuals or both;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Shall provide, subject to the limitations of the State budget,
2 comprehensive medical and other health care services for all eligible pregnant women
3 whose family income is at or below 250 percent of the poverty level, as permitted by
4 the federal law;

5 (iii) Shall provide, subject to the limitations of the State budget,
6 comprehensive medical and other health care services for all eligible children
7 currently under the age of 1 whose family income falls below 185 percent of the
8 poverty level, as permitted by federal law;

9 (iv) Shall provide, subject to the limitations of the State budget,
10 family planning services to **ALL** women [currently eligible for comprehensive medical
11 care and other health care under item (ii) of this paragraph for 5 years after the
12 second month following the month in which the woman delivers her child] **WHOSE**
13 **FAMILY INCOME IS AT OR BELOW 250 PERCENT OF THE POVERTY LEVEL, AS**
14 **PERMITTED BY FEDERAL LAW;**

15 (v) Shall provide, subject to the limitations of the State budget,
16 comprehensive medical and other health care services for all children from the age of 1
17 year up through and including the age of 5 years whose family income falls below 133
18 percent of the poverty level, as permitted by the federal law;

19 (vi) Shall provide, subject to the limitations of the State budget,
20 comprehensive medical care and other health care services for all children who are at
21 least 6 years of age but are under 19 years of age whose family income falls below 100
22 percent of the poverty level, as permitted by federal law;

23 (vii) Shall provide, subject to the limitations of the State budget,
24 comprehensive medical care and other health care services for all legal immigrants
25 who meet Program eligibility standards and who arrived in the United States before
26 August 22, 1996, the effective date of the federal Personal Responsibility and Work
27 Opportunity Reconciliation Act, as permitted by federal law;

28 (viii) Shall provide, subject to the limitations of the State budget
29 and any other requirements imposed by the State, comprehensive medical care and
30 other health care services for all legal immigrant children under the age of 18 years
31 and pregnant women who meet Program eligibility standards and who arrived in the
32 United States on or after August 22, 1996, the effective date of the federal Personal
33 Responsibility and Work Opportunity Reconciliation Act;

34 (ix) Beginning on July 1, 2008, shall provide, subject to the
35 limitations of the State budget, and as permitted by federal law, comprehensive
36 medical care and other health care services for all parents and caretaker relatives:

37 1. Who have a dependent child living in the parents' or
38 caretaker relatives' home; and

1 (4) In fiscal year 2011 and each fiscal year thereafter, the Governor
2 shall include in the State budget funding sufficient to provide the substance abuse
3 benefits required under paragraph (3)(ii)2 of this subsection.

4 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
5 General Assembly that any long-term savings to the Maryland Medical Assistance
6 Program resulting from the expansion of eligibility for family planning services under
7 this Act, shall be used to continue the operation of the Upper Shore Community
8 Mental Health Center in Chestertown, Maryland.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2010.